IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2522 OF 2005

Central Warehousing Corporation
and Ors. ..Applicants

Vs.

M/s.Ornate Multi-Model
Carriers Pvt.Ltd. & Anrs. ..Respondents

...

Mr.H.K.Prem Advocate for Applicants
Mr.Ganesh Gole for Respondent no.1
Mr.Rajesh More A.P.P. for State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : SEPT. 30,2005

P.C.

1. Heard the learned advocate for the applicants, learned advocate for the respondent no.1 and the learned A.P.P. for the State. Mr.Sayed Jamil Jalali is present in person on behalf of respondent no.1 -original complainant.

2. The applicants are seeking quashing of process issued against them under Sections 138 and 141 of Negotiable Instruments Act, by the learned

Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai in C.C.No.6254/SS/2004.

3. The complainant who is present in person states that he has received the cheque for the dishonoured amount i.e. Rs.17,86,812/-. He states that in view of this fact, he does not wish to prosecute his complaint.

4. Looking to the statement made by the complainant, I am inclined to quash the proceedings. Accordingly, the proceedings pertaining to C.C.No.6254/SS/2004 pending before the learned Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai are quashed and set aside.

5. Criminal Application is disposed of.

[V.K.TAHILRAMANI,J.]